

1 2. On June 1, 2012 the Ninth Circuit issued an opinion in *Nordyke v. King*, Case
2 No.: 07-15763.

3 3. The parties jointly request that the stay be lifted in this matter and that the
4 Court rule on the County Defendants' pending motion to dismiss without
5 further briefing or oral argument.

6 4. Additionally the parties request the resetting of a Joint Case Management
7 Conference so that due dates for discovery, further dispositive motions and/or
8 trial can be set.

9 Respectfully Submitted on June 6, 2012,

10 /s/
11 Melissa Kiniyalocots,
12 Counsel for Defendants

13 /s/
14 Donald Kilmer
15 Counsel for Plaintiffs

16 **ATTESTATION FOR COMPLIANCE WITH GENERAL ORDER 45 AND
17 LOCAL RULE VIII.B.**

18 I, Donald Kilmer, declare under penalty of perjury under the laws of California
19 and the United States that I have in my possession e-mail correspondence from
20 Melissa Kiniyalocots that the content of this document is acceptable to all persons
21 required to sign the document. I declare that this document was signed in San
22 Jose, CA on June 6, 2012.

23 /s/
24 Donald Kilmer for Plaintiffs

25 **ORDER**

26 Upon consideration of the parties stipulation and a review of the record, the
27 stay entered in this action on February 14, 2012 is lifted. The parties are ordered to
28 appear for a Joint Case Management Conference on: _____ at _____.
A Joint Case Management Conference Statement shall be filed on or before:
_____.
Date: _____.

EDWARD M. CHEN
United States District Judge